



European Parliament

**To Jean-Claude Juncker,  
President of the European Commission**

**In copy to Frans Timmermans,  
Vice-President of the European Commission**

Strasbourg, 13 June 2018

Dear President,

According to the new Supreme Court Act of Poland, until the 3rd of July, the judges who have reached the age of 65 have to apply for the extension of their tenure. It might lead to the dismissal of approximately 40 per cent of current judges, including the First President of the Supreme Court, whose six-year term would end in 2020. The President of Poland decides on the extension after consulting the National Council of the Judiciary (NCJ). New judges will also be appointed by the President of Poland after consulting the NCJ. It should be recalled that under the new legislation, judge-members of the NCJ are appointed by the Sejm; accordingly, the new composition of the NCJ is largely dominated by the political appointees of the current ruling majority.

The new Supreme Court Act has been criticised by the Commission, by the Venice Commission, by other bodies of the United Nations and the Council of Europe. In particular, the Venice Commission came to the conclusion that the new Act, taken together with other judiciary reforms, enable the legislative and executive powers to interfere in a severe and extensive manner in the administration of justice, and thereby pose a grave threat to the judicial independence as a key element of the rule of law.

With the 3rd of July, the last independent court in Poland might stop working properly. This is a disaster for the Polish citizens and for the Polish democracy.

The Polish citizens have fought hard to gain democracy and a fair and independent judiciary system. In these difficult times, the European Union needs to stand by its own citizens in Poland and protect the rule of law. Therefore, we, the undersigned, urge you to do whatever possible to protect the independence of the judiciary in Poland. In particular, we urge you to immediately start an infringement procedure, in parallel to the Article 7 procedure, and refer the Polish Supreme Court Act to the European Court of Justice to stop the detrimental reform as soon as possible.

The European Union must protect its citizens' rights, no matter where they live.

Trusting in your support, we thank you,



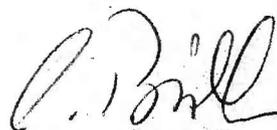
Ska Keller,  
Co-Chair Greens/EFA



Philippe Lamberts,  
Co-Chair Greens/EFA



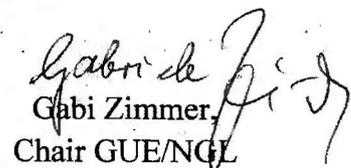
Manfred Weber,  
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